

Georgia
Whitfield County

Witnessed & attested Truly by the will of Providence

State of Georgia } In the name of God. Amos & George Chappell of
Whitfield County } the County and State aforesaid being weak in body, but of
sound in mind do make and declare this to be my Last Will and Testament
of all the property with which a kind Providence has blessed me to wit,
1st Item I desire my body shall be interred in a manner conformable
to my Circumstances in life and I commit my soul with humble submission
to my maker (relying) for salvation on the merits and atonement of my Saviour,
whose divine religion I have professed and enjoyed for thirty years.

2nd Item. I will and desire that all my just debts be paid without unnecessary
expense or delay out of the money that first comes into the hands of my executors
herein after to be mentioned.

Whitfield County Wills 1843-1854

www.georgiapioneers.com

3^d Item. I give and bequeath unto my beloved wife Lucy Chappel, for and during
the term of her natural life only, the following negroes slaves for life to wit.
a negro woman belonging to me named Betty about thirty years old, my negro
man named George, about twenty one years old, my negro boy, named
Henry about thirteen years old, and my negro girl named Mary about
eleven years old, together with the increase of said females, also lots of
land numbered two hundred and sixty, and two hundred and sixty one
in the twelfth district of the third section of originally Cherokee, now
Whitfield County in said State.

4th Item. I desire that as soon after my death as shall be practicable,
my executors herein named, shall sell to the best advantage, either
at private sale, or after due notice of the time and place thereof, at
public auction, and either on a credit or for cash, as to them may seem
expedient, my other lands, to wit lot numbered one hundred and forty eight

in the same district section and county aforesaid and the undivided half of a lot which I hold jointly with William J. Underwood in the eighth district of the third section of originally Cherokee, now Gordon county in said State, and it is my desire, that when the proceeds of the sale of said last mentioned land shall have been realized, my executors shall loan the same securely on interest payable annually.

5th Item. I also give and bequeath absolutely to my said beloved wife Lucy, the interest that shall accrue as aforesaid, on the proceeds of the lands to be sold as aforesaid, also all my horses, mules, cattle, sheep and hogs, also my wagon, and all my farming implements and utensils, all my household and kitchen furniture all the money that shall remain after paying my debts, and all the money that shall be collected upon the notes, obligations, open accounts, and every other description of debt due to me, and upon every claim that I may have.

6th Item. I will that after my beloved wife shall have departed this life, that the property in which a life estate is herein bequeathed to her shall be distributed in the following manner, viz. my surviving executor, or in case of his death, failure or refusal to act, that such other person or persons as shall receive from the proper authority letters of administration with this will annexed, shall after due and legal notice of the time and place thereof, shall sell at public auction the said lots Two hundred and sixty and two hundred and sixty one, and shall collect, in and from the same, the monies herein before directed to be loaned on interest - that then the said surviving executor, or administrator, as the case may be shall first distribute to each of my daughters

Frances and Anginett the sum of twenty five dollars, which I give and bequeath to them over and above their equal distribution share of my estate, and that thereupon three disinterested freeholders to be selected by my said executor, or said administrator with this will annexed as the case may be, divide my said negroes into five shares, (the number of my children) making up for a deficiency in the number or value of said negroes, and substituting therefor the said monies arising from the sale of said lands, and the money loaned out on interest as aforesaid, that said shares be numbered, and after due notice thereof being given to each and all of my said children, that each of my said children shall draw by lot one of said shares, which I give and bequeath to them respectively, and in case either of my said children shall have died previous to said distribution, that then their legal heir or heirs shall represent them and receive her or their share or shares respectively, provided nevertheless that the share that shall be drawn by, or on account of my daughter Elizabeth Macoy wife of John Macoy, I give and bequeath to her and her children, and to their own proper use benefit and behoof, free from the ownership of said John Macoy or any other husband which she then may have. But it is my will and desire, that the said John Macoy, and his heirs, being shall have the management and control of the said

letters of guardianship of his children aforesaid, and give bond with sufficient security for the faithful performance of his duties as such.

7th Item. I hereby constitute my beloved wife Lucy Chappell executrix, and my trusty friend John Jansom of Whitfield county aforesaid executor of this my last will and testament George Chappell

Dated at my mansion house in
Whitfield County this 16th day
of September A. D. 1853.

Agreed sealed declared and published by the above named George Chappell
as and for his last will and testament in the presence of us the subscribers,
who subscribed our names hereto in the presence of the said testator and of
each other

T. S. Swift

Mark Thornton Jr

John Odell

W^m B. Malone

Phil. Minis J. J. C. W. C.

Codicil.

State of Georgia } Whereas I George Chappell did on the
Whitfield County } sixteenth day of September A. D. 1853
sign, seal, declare and publish my last will and Testament in
presence of T. S. Swift, Mark Thornton, John Odell,
and William B. Malone who signed said will and Testament
as witnesses, and whereas I am desirous of altering and changing
a bequest and devise in said will I therefore make and publish
this codicil to said will.

Whitfield County Wills 1843-1854
www.georgiapioneers.com

First. I revoke and annul that part of the third Item of said
Will so far as relates to two Lots of Land number Two hundred
and sixty and Two hundred and sixty one in the Twelfth district third
section of originally Cherokee, but now Whitfield County - which
lots of land I have sold since the execution of the foregoing will.
Second. I revoke and annul so much of the fourth Item
so far as relates to Lot of land number one hundred and forty eight
in the twelfth district, and third section of originally Cherokee but
now Whitfield county, and state aforesaid - In that Item I desired
said Lot to be sold at public outcry by executors therein named I
now will and bequeath said lot of land to my wife Lucy Chappell
with full power to sell said lot of land at any time, She may desire
to do so and make good titles to the same, - the proceeds arising from
the sale of said lot of Land I desire as a life estate to my wife -
subject to her control for that time, But in the event, she does not
dispose of said lot but continue to hold it untill her death, I desire it
to be sold, and the proceeds to be equally divided between my children
George Chappell

Signed, sealed, declared and published by George Chappel as the
cedil to his will and Testament of the sixteenth of September
Eighteen Hundred and Fifty three in the presence of us the subscribers
who subscribed our names hereto in the presence of said Testator at
special instance and request and of each other this nineteenth day of
November 1853

Wm B. Malone
Stephen Philips

E. W. Allen
Winston Gordon
Phil. Minis J. G. W. C.

Georgia } Court of Ordinary Feby Term 1853
Walker County } Court met according to adjournment
present James Hoge ordinary for said county
Walker court of Ordinary Feby. Term 1853

Personally appeared in open court Jacob Group
who being duly sworn says that he saw Valentine
Harlan sign seal declare & publish the instrument
now presented www.georgiapioneers.com Testament freely
voluntarily and without any
compulsion or influence whatever that at the time of
the execution and publication of said will said Testator
was of sound and disposing mind, and memory, that said
deponent and the other witnesses signed said will as
witnesses in the presence of the Testator and at his
special instance and request and in the presence of the
other witnesses to the last publication of said will

Jacob Group

Sworn to and subscribed in open
court this 7th day of February 1853

James Hoge O. W. C.

Walker Court of Ordinary February Term 1853

The last will and Testament of Valentine Harlan
having been duly proved in open court, It is ordered by
the court that the same be admitted to Record & John
Dunnegan & Arthur Harlan the Executors therein
named, were qualified in open court and letters
Testamentary issued to them in terms of the last